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15 UNITED STATES DISTRICT COURT
 16 SOUTHERN DISTRICT OF CALIFORNIA

17 AUSTIN DICKER, Individually and on)
 18 Behalf of All Others Similarly Situated,)

19 Plaintiff,)

20 vs.)

21 TUSIMPLE HOLDINGS, INC., et al.,)

22 Defendants.)

Case No. 3:22-cv-01300-BEN-MSB
 (Consolidated with No. 3:23-cv-00282-
 BEN-MSB)

CLASS ACTION

DECLARATION OF MICHELLE
 POIRIER IN SUPPORT OF
 PLAINTIFFS' MOTION FOR FINAL
 APPROVAL OF PROPOSED
 SETTLEMENT

Date: December 2, 2024

Time: 10:30 a.m.

Ctrlm: 5A

Judge: Hon. Roger T. Benitez

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1 I, MICHELLE POIRIER, declare as follows:

2 1. I am one of the named plaintiffs in the above-captioned action (the
3 “Litigation”). I respectfully submit this declaration in support of final approval of the
4 proposed settlement (“Settlement”).¹

5 2. I have personal knowledge of the statements herein and, if called upon as
6 a witness, could and would competently testify thereto.

7 3. I have faithfully performed my duties as a plaintiff throughout the course
8 of this Litigation. I have monitored the progress of this Litigation and overseen the
9 prosecution of the case by Lead Counsel Robbins Geller Rudman & Dowd LLP
10 (“Robbins Geller”) and Kahn Swick & Foti, LLC (“Kahn Swick,” together with Lead
11 Counsel, “Plaintiffs’ Counsel”). I have also worked alongside Lead Plaintiff INPRS
12 and fellow plaintiff Robert Miller in directing the prosecution of the Litigation.

13 4. In fulfillment of my responsibilities on behalf of all members of the
14 Settlement Class, I:

15 (a) spoke with Robbins Geller regarding my appointment as lead
16 plaintiff in the Litigation in light of the investment losses I suffered in connection with
17 my purchases of TuSimple Holdings, Inc. (“TuSimple”)’s publicly traded securities. I
18 also discussed with Lead Counsel what the lead plaintiff role would entail, reviewed
19 and discussed with Lead Counsel the initial complaints, collected and provided Lead
20 Counsel my TuSimple trade confirmations, and executed certifications as required by
21 the Private Securities Litigation Reform Act (“PSLRA”);

22 (b) engaged in numerous meetings, phone conferences, and
23 correspondence with Lead Counsel, which also included communications with fellow
24 named plaintiff Robert Miller. I also provided input into the prosecution of the
25 Litigation, including sharing with Lead Counsel media articles regarding TuSimple;

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27 ¹ Plaintiffs include myself, Lead Plaintiff Indiana Public Retirement System
28 (“INPRS”), and Robert Miller.

1 (c) kept informed regarding the case status and discussed and/or
2 reviewed pleadings and filings with Lead Counsel, including the Consolidated
3 Complaint, the various motions to dismiss and Plaintiffs' response thereto, and the
4 motion for a temporary restraining order against TuSimple;

5 (d) consulted with counsel and provided input regarding litigation and
6 settlement strategy, including participating in and staying informed about mediation
7 and settlement negotiations; and

8 (e) considered and approved the proposed Settlement and the
9 applications associated therewith.

10 5. As a consequence of this informed and deliberate process, I approved the
11 settlement of this action for \$189 million. I believe the proposed Settlement
12 represents a fair, reasonable, and adequate result and that its approval is in the best
13 interest of the Settlement Class. This is especially true when the substantial benefit of
14 the proposed Settlement to the Settlement Class is weighed against the significant
15 risks and uncertainties of continued litigation, including the risk of recovering nothing
16 at all. My belief is based on my review, consideration, and evaluation of the merits of
17 this case. I believe that this substantial recovery for the Settlement Class would not
18 have been possible without the diligent efforts of Plaintiffs' Counsel, who creatively,
19 efficiently, and aggressively prosecuted this case.

20 6. While I recognize that the ultimate determination of fees awarded to
21 counsel is made by the Court, I understand part of my role as a named plaintiff is to
22 ensure that attorney's fees reasonably compensate Plaintiffs' Counsel for the result
23 achieved, the quality of counsel's representation, and the risk undertaken in the
24 Litigation. I support Plaintiffs' Counsel's request for an award of attorney's fees in
25 the amount of 25% of the Settlement Fund and expenses requested because I believe
26 this request is fair, reasonable, and appropriate given the facts and circumstances of
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1 this case, which include Plaintiffs’ Counsel’s high quality representation and the
2 outstanding result achieved for the Settlement Class.

3 7. I am informed that the PSLRA allows for the reimbursement of time and
4 expenses incurred by a representative plaintiff such as myself in connection with
5 services rendered in the Litigation. I estimate that I have spent more than 23 hours
6 over the course of the Litigation to discharge my responsibilities as described in
7 paragraph 4, above. Based on my good-faith approximation of my wages and benefits
8 as a client relationship specialist for a leading provider of cloud-based software to
9 insurance companies, as well as my background and experience, my hourly rate for
10 my time is \$80 per hour. Based on this hourly rate, the unreimbursed expense for my
11 time expended on the Litigation is \$1,840. I believe this amount is reasonable and
12 well supported by the time and effort that I put into overseeing the Litigation on
13 behalf of the Settlement Class.

14 8. In light of the foregoing, I respectfully request that the Court grant
15 Plaintiffs’ Unopposed Motion for Final Approval of Proposed Settlement and
16 Plaintiffs’ Motion for Attorneys’ Fees and Expenses and Awards to Plaintiffs Pursuant
17 to 15 U.S.C. §78u-4(a)(4).

18 I declare, under penalty of perjury under the laws of the United States of
19 America, that the foregoing is true and correct. Executed this 22 day of
20 October, 2024, at Guelph, Ontario.

21 DocuSigned by:

ACUBZEBZ3D88407
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MICHELLE POIRIER